

J. O. asks the Utah Labor Commission to review Administrative Law Judge George's denial of Mr. O.'s claim for benefits under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Ann.).

The Labor Commission exercises jurisdiction over this motion for review pursuant to Utah Code Ann. §63-46b-12, Utah Code Ann. §34A-2-801(3) and Utah Admin. Code R602-2-1.M.

ISSUES PRESENTED

Mr. O. appears to argue that Judge George, as well as a medical expert retained by Ormond Construction, was biased against him. Mr. O. also contends that, if his claim for benefits is dismissed, it should be dismissed "without prejudice."

FINDINGS OF FACT

Mr. O. has submitted no evidence that contradicts the findings of fact set forth in Judge George's decision. The Commission therefore adopts those findings.

DISCUSSION AND CONCLUSION OF LAW

Mr. O.'s allegations of bias in this matter are unsupported by any significant evidence, nor is the Commission aware of any such bias. As to Mr. O.'s argument that his claim should be dismissed "without prejudice," such action would be improper in light of the fact that Mr. O.'s claim has been fully adjudicated on its merits. In light of the foregoing, the Commission finds no basis to modify Judge George's decision.

ORDER

The Commission denies Mr. O.'s motion for review and affirms Judge George's decision. It is so ordered.

Dated this 31st day of March, 2004.

R. Lee Ellertson, Commissioner